Single Bench

IN THE HIGH COURT OF JUDICATURE AT BILASPUR (C.G.)

WRIT PETITION.NO. 3918 OF 2004

BETWEEN

Chhedi Lal Mahilange s/o Sakha Ram Mahilange, aged about 59 years,presently posted and working as Assistan Teacher, posted at Anusuchit Jati Kalyan Prathmik Shala ,Bhadrapara, Bolock Education Korba C.G.)

PETITIONER

AND

1- The State of Chhattisgarh,
Through the Secretary Department of Tribal Welfare,Mantralay D.K.S. Building, Raipur (C.G.)

2- The Commissioner, Adim Jati Tatha Anusuchit Jati Vikas Vibhag,Raipur,Teshil and District Raipur (CG.)

3- The Collector, (Tribal Development Section) Korba (C.G.)

4- The District Education Officer, Korba (CG).

5- The Block Education Officer, Korba (CG).

6- Shri Basant Kumar Tamboli,Assistant Teacher, Primary School Dengurdih, Chirra, District Korba (CG).

RECEIVED COPY 15.10.09 Clerk to A.G. Bilaspur

RESPONDENTS

WRIT PETITION UNDER ARTICLE 226/227 OF CONSTITUTION OF INDIA

(26)

XI-HC—78

उच्च न्यायालय, छत्तीसगढ़, बिलासपुर

मामला क्रमांक WP 3918/04 सन् 200

आदेश पत्रक (पूर्वानुबद्ध)

आदेश का दिनांक तथा आदेश क्रमांक	हस्ताक्षर सहित आदेश	कार्यालयीन मामलों में डिप्टी रजिस्ट्रार के अंतिम आदेश
	01-11-2004 Shri Vijay Deshmukh, Counsel for the petitioner. Shri V.V.S. Murthy, Dy. Advocate General with Shri Akhil Agrawal, Panel Lawyer for the State. Application for urgent hearing is allowed. Heard. Learned counsel for the petitioner submits that the matter relates to transfer of the petitioner. He further submits that the petitioner has been transferred only to accommodate respondent No.6. He also submits that the petitioner's ailing father is residing with him who is aged about 115 years. He also submits that for the present the petitioner may be given an opportunity of filing the detailed representation before the competent authority of the respondents, which shall be considered on its own merits in accordance with law. Having considered the facts and circumstances and without expressing any opinion on the merits of the case, in the opinion of this Court, ends of justice will be served if a direction is given to the petitioner to make a detailed representation raising his grievances before the competent authority of the respondents along with a copy of the petition and this order, within 10 days, and on such representation being filed, the competent authority of the respondents shall decide the same on its own merits in accordance with law by	

(26) (27)

XI-HC—78

उच्च न्यायालय, छत्तीसगढ़, बिलासपुर

मामला क्रमांक WP 3918/04 सन् 200

आदेश पत्रक (पूर्वानुबद्ध)

आदेश का दिनांक तथा आदेश क्रमांक	हस्ताक्षर सहित आदेश —2—	कार्यालयीन मामलों में डिप्टी रजिस्ट्रार के अंतिम आदेश
	a reasoned order as early as possible preferably within six weeks from the date of receipt of the representation. It is made clear that if any grievance still remains, the petitioner may avail the remedy available under the law. Counsel for the petitioner submits that the exparte relieving order has been issued but the same has not been served upon the petitioner. He prays for stay till the representation is decided. In view of the facts and circumstances of the case, it is directed that till the representation is decided, if the petitioner is not relieved, he be allowed to continue. It is made clear that if the petitioner has been relieved, this order will not entitle to him to join in the earlier place of posting. With the aforesaid observations, this petition stands disposed of. Consequently M.W.P.No.4330/04 & I.A.No.8030/04 also stand disposed of. Certified copy as per rules. Sd/- Fakhruddin Judge	

Gowri

20.4.05